



## STATE OF HAWAII

HISTORIC PRESERVATION DIVISION

555 KAKUHIHEWA BUILDING

601 KAMOKILA BOULEVARD

KAPOLEI, HAWAII 96707

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## AGENDA

### MOLOKA'I ISLAND BURIAL COUNCIL MEETING

**DATE:** WEDNESDAY, FEBRUARY 16, 2000  
**TIME:** 12 NOON  
**PLACE:** OFFICE OF HAWAIIAN AFFAIRS CONFERENCE ROOM  
KULANA 'OIWI BUILDING  
P.O. BOX 1717  
KAUNAKAKAI, HAWAII 96748

- I. OPENING REMARKS
- II. APPROVAL OF JANUARY 20, 2000, MEETING MINUTES
- III. BUSINESS
  - A. KAHINAPOHAKU  
**Information/Recommendation:** Discussion on proposed burial treatment.
  - B. MAPULEHU GLASS HOUSE  
**Information/Recommendation:** Discussion of site visit and proposed burial treatment.
  - C. CASE UPDATES AND INADVERTENT DISCOVERIES  
**Information/Recommendation:** Discussion on recent inadvertent discoveries, arrangements for reburials, update on ongoing cases, and other follow-up by SHPD.
- IV. ANNOUNCEMENTS
- V. ADJOURNMENT

Materials relating to items on the agenda are available for review at the State Historic Preservation Division at 555 Kakuhihewa Building, 601 Kamokila Boulevard, Kapolei, Hawai'i 96707, and will also be available at the meeting. Any disabled person requiring special assistance should contact our office in advance at (Kaua'i) 274-3141, Ext. 28033; (Mau'i) 984-2400, Ext. 28033; (Hawai'i) 974-4000, Ext. 28033; (Moloka'i & Lana'i) 1-800-GOV-INHI, Ext. 28033; or 692-8033.



STATE OF HAWAII

DEPARTMENT OF LAND AND NATURAL RESOURCES

HISTORIC PRESERVATION DIVISION  
Kakuhihewa Building, Room 555  
601 Kamokila Boulevard  
Kapolei, Hawaii 96707

AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
CONSERVATION AND RESOURCES  
ENFORCEMENT  
CONVEYANCES  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
LAND  
STATE PARKS  
WATER RESOURCE MANAGEMENT

MINUTES

MOLOKAI ISLAND BURIAL COUNCIL

Wednesday, February 16, 2000

12:00 p.m.

Office of Hawaiian Affairs Conference Room

Kulana 'Oiwī Building

P.O. Box 1717

Kauanakakai, Hawaii 96748

**A. Kahinapohaku:**

No update.

**B. Mapulehu Glass House:**

Ron Kimball stated that the Council had a good site visit and asked if anybody had questions.

Kimball said that we agreed to develop a list of expenditures put into the property and Jim Mee would go back to Arleone Dibben and discuss this. He said he had a copy of an appraisal of the property and that it was \$560,000.

Kimball also said that Alapa'i Hanapi had some concerns about reintering the skeletal remains in his possession back onto the property.

Mee said whatever is proposed, he wants the blessing of the State Historic Preservation Division prior to any permission to reinter.

Kai Markell said he would provide such assurances if requested.

Hanapi asked if they could come in and clean up the burial easement some.

Kimball asked if he meant both the ginger patch and the easement. Hanapi said just the easement for now.

Mee asked if that would entail bringing in more fill. Hanapi said just to clean.

Kimball asked about the iwi the group saw today at the site visit. Hanapi said they would just mound it.

Mee said that if any fill was brought in, the landowner had concerns about fireants and the like being transported in as well.

Hanapi said maybe Dibben could provide the fill.

Kimball asked Leimana Naki, as a recognized descendant, if he had any comments.

Naki said that he questioned the valuation of the property. He said that the landowner paved without consent and knew they were looking for iwi, she added value, she created problems. He wants to do it quietly and respectfully.

He said he knew Mee was knew to this situation and that he would be willing to put a lot of the past aside if everybody would focus on the kupuna.

Mee said with regards to cleaning the easement, he had concerns about safety and liability given the open well on the property.

Louella Albino inquired about the status of the alleged violations, and what carried over to the new owner, and what improvements were made.

Mee said that the driveway was put in and they fixed the house and barn. He suggested that they needed to make a list of improvements to the property.

Albino wanted to know if the landowner knew that when you buy property and make improvements, you take risks and why should we have to pay for those risks.

Mee said that when the land was purchased, Ellen Osborne was still on the property and on the last day of occupancy, she dug a hole and discovered iwi. Dibben didn't know about the holes and notified the State Historic Preservation Division when she became aware of the situation.

Albino said Dibben continued developing even though she knew about the property.

Kimball said that he didn't think the valuation was realistic and didn't think Dibben should get a windfall. He said he did believe that they were making progress in the discussion of the case.

Albino wanted to know if Dibben was an intelligent investor and whether she knew what she was getting into.

Mee said at some point, Dibben was told by the SHPD that she couldn't disturb the ground.

Markell said they had a time out period of three months and then voluntary cessation after that.

Hanapi said that Sara Collins of the SHPD worked with Dibben in purchasing the property and that Dibben had knowledge. She wanted just one easement for everything found.

Hanapi asked if Dibben had permission to collect iwi. Markell said that initially she was flagging iwi found on the surface but later there were allegations that flags were disappearing and that iwi was appearing so DOCARE was supposed to take custody of the exposed iwi on the surface.

Albino said that maybe they shouldn't settle, maybe we need to clarify the law.

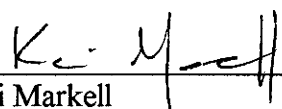
Hanapi said that the archaeologist selected is insensitive from his experiences at Honokahua. He said that we are not an extinct people.

Dawn Chang said that there is no Hawaii court decision regarding burials and maybe we need to amend the laws to make them more culturally appropriate.

She said that she sees positive movement in this case and that Dibben has been willing to let the community malama the sites but the big question is who has money to undertake this.

Kimball said everyone would agree to continue working towards a resolution of this case.

Respectfully submitted:

  
Kai Markell